

NOTICE OF PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Division of Administrative Rules.

Agency Information

- Agency: Insurance - Administration
Room no.: 3110
Building: STATE OFFICE BLDG
Street address 1: 450 N MAIN ST
Street address 2:
City, state, zip: SALT LAKE CITY UT 84114-1201
Mailing address 1: PO BOX 146901
Mailing address 2:
City, state, zip: SALT LAKE CITY UT 84114-6901

Contact person(s):

Name: Phone: Fax: E-mail:

Jilene Whitby	801-538-3803	801-538-3829	jwhitby@utah.gov
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(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 35006 Date filed: 07/05/2011 02:13 PM
State Admin Rule Filing Key: 151287
Utah Admin. Code ref. (R no.): R 590 - 172 - 4
Changed to Admin. Code ref. (R no.): - -

Title

- Title of rule or section (catchline):
Notice to Uninsurable Applicants for Health Insurance.

Notice Type

- Type of notice: Amendment

Rule Purpose

- Purpose of the rule or reason for the change:
This rule currently requires health insurers to notify Utah Comprehensive Health Insurance Pool (HIPUtah) on the 1st and 15th of the month of applicants who have been denied health insurance coverage. HIPUtah has asked that reporting be done only on the 1st of the month in an attempt to alleviate duplicatin in the reporting of these denied applicants.

Response Information

- This change is a response to comments by the Administrative Rules Review Committee.
No

Rule Summary

6. Summary of the rule or change:

Subsection R590-172-4(2)(c) changes the requirement of health insurers to report to HIPUtah on the 1st and 15th of the month, those individuals without health insurance who have been denied coverage by them.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

This change will have no impact on the budget or workload of the department since the reports referred to in the change are submitted to HIPUtah and not the department.

B) Local government:

Affected: No

The change to this rule will have no impact on local governments since it deals solely with the relationship between HIPUtah and licensed health insurers doing business in Utah.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

This rule applies only to individuals applying for health insurance coverage from health insurers that are large businesses.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

The change to this rule will eliminate the requirement for health insurers to report to HIPUtah on the 15th of the month, uninsured applicants that they have denied coverage to. Currently the requirement is to provide this information on the 1st and 15th of the month. Reporting is done electronically so there will be no cost savings. The savings will be in time and effort of health insurance company staff.

Compliance Cost Information

8. Compliance costs for affected persons:

The change to this rule will eliminate the requirement for health insurers to report to HIPUtah on the 15th of the month, uninsured applicants that they have denied coverage to. Currently the requirement is to provide this information on the 1st and 15th of the month. Reporting is done electronically so there will be no cost savings. The savings will be in time and effort of health insurance company staff.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

This rule will have no fiscal impact on businesses in Utah. The elimination of one required report will reduce an insurers workload.

B) Name and title of department head commenting on the fiscal impacts:

Neal T. Gooch

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

31A-29-116

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

Official Title of Materials Incorporated (from title page):

Publisher:

Date Issued:

Issue, or version:

ISBN Number:

ISSN Number:

Cost of Incorporated Reference:

Adds, updates, removes:

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) :

08/31/2011

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

09/07/2011

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):
- health insurance

File Information

15. Attach an RTF document containing the text of this rule change (filename):

There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title:

Jilene Whitby Information
Specialist

Date (mm/dd/yyyy): 07/05/2011